

Local Government Records

The accompanying directory provides a brief guide to Tennessee's local government archives and gives specific detail about individual programs. It was compiled through detailed surveys mailed to each of Tennessee's ninety-five counties. Provided are the name and contact information of the person or office in charge of the records, a short description of the record holdings and their condition, and the status of the public records commission for each of the counties. Most formal record keeping takes place at the level of county government, although there are five municipal archives in the directory. Each is listed under the county of origin. In cases where the record keeping practices are unknown (due to the lack of a program or an unreturned survey), we have noted this information and supplied the name of the county mayor.

The most frequently asked question when talking to county or municipal officials about archives and records programs is "Why do we need an archives or records management program?" The answer begins with an explanation of Tennessee's public records laws. The public records statutes that apply to county and municipal offices are found in Title 10, Chapter 7 of the Tennessee Code Annotated (TCA). Sections 403, 404, and 413 speak of the requirement that local government offices preserve indefinitely the records designated as "permanent" by the records manuals of the County Technical Assistance Service. TCA §10-7-503 further states that government records (excluding those defined as confidential) are open to public inspection:

All state, county and municipal records...except any public documents authorized to be destroyed by the county public records commission in accordance with §10-7-404, shall at all times, during business hours, be open for personal inspection by any citizen of Tennessee, and those in charge of such records shall not refuse such right of inspection to any citizen, unless otherwise provided by state law.

Unless there is a specific statutory exemption that makes a record confidential, citizens have the right to inspect and make copies of government agency records. If the records are not well organized and well protected, as is the case in some Tennessee counties, public officials cannot comply with requests for information. This undermines confidence in government, hinders its relationship with the citizens that it serves, and impedes the efficient operation of governmental work. An archive is the best way to ensure the preservation of and access to public records, the dual pillars of Tennessee's public records law.

While Tennessee law does not require the establishment of an archives facility, it does mandate compliance with a process of records management in the form of an active public records commission. The express purpose of the commission is "to provide for the orderly disposition of public records created by agencies of county government" (TCA §10-7-401). The most significant change to the original public records commission statute occurred in 1994, when the legislature amended the law to mandate the creation and active standing of such a body. Since that time, every county in Tennessee has been legally required to have a county public records commission, composed of at least six members, that meets at least twice a year. Three members are appointed by the county mayor, subject to the confirmation of the county legislative body. Of those three, one appointee is to be a member of the county legislative body, one is to be a judge of a court of record in the county, and one is to be a genealogist. In addition to these appointees, certain

county officers automatically become members of the county public records commission by virtue of the office they hold. These *ex officio* members include the county clerk, register, county historian and, in those counties with a duly appointed county archivist, that person as well.

One of the most important roles of the county public records commission is to authorize the destruction of temporary county records. The commission has the responsibility to prevent county records from being destroyed prematurely and to insure that original records which have been converted into other storage media have been properly duplicated before the originals are destroyed. No records of the county may be destroyed without first being reviewed and approved by the public records commission. Without a functioning public records commission, all county offices are hampered in their ability to efficiently manage their records. An active public records commission, on the other hand, takes the pressure off and protects individual office holders by preventing them from destroying their official records without external review. With a commission in place, officials are not as likely to make errors in judgment concerning the disposition of their records.



Sullivan County records stored in former jail cell



Sevier County records

As reflected in the following directory, most counties with an archive also have an active public records commission. Counties with an active public records commission (forty-six out of ninety-five counties) generally have a good grasp on records management. They regularly schedule records for disposal, thereby keeping their temporary records in manageable order and separate from their permanent records. In counties where there is not a functioning public records commission, not surprisingly, records management and the preservation of permanent records are neglected. Records disposition is left to the individual offices, resulting in records being thrown out or haphazardly stored. Courthouse offices, attics, basements, and off-site facilities become cluttered storage places for records both temporary and permanent. In some cases, the county pays long-term storage fees for records that have short retention periods. With no guidance from written policy or a functioning public records commission, officials elected for a four-year term either do not want to deal with old records or do not know how to deal with them. Because officials often lack proper knowledge of records retention, records that need to be destroyed are unnecessarily kept, taking up valuable space.

Inconsistency and variety are the most prevalent features of record keeping in Tennessee's local governments. There has been an ongoing history

of each county doing its own thing and dealing with its records in *ad hoc* fashion. This has led to a widely diverse network of local archives. When it comes to records management and archives development in Tennessee, there is not a single correct way to get the job done. For the fifty-eight local government (county or municipal) archives in Tennessee, there are likely to be a half-dozen or so formulas for success. For example, many archives began as 'loose records' projects under the supervision of local historical or genealogical societies. Packets of loose court records often represent the bulk of unprocessed, unavailable, and historically valuable records of the county. Volunteers from historical and genealogical societies frequently focus on the salvage and preservation of these court files as a beginning point. Consequently, these archives tend to concentrate on providing genealogical reference service for these records once they are organized. While valuable in themselves, genealogy-centered programs typically ignore good records management and the development of an archive as the official record keeping body of the government.

In other cases, the archives started as a "loose records" project and later adopted the responsibility of county records management out of necessity. County commissions tend to be less interested in supporting purely genealogical research and more willing to commit resources to a program that frees up office

space, takes care of the old records, and manages new ones. There are a few instances in which the archives began as a records management project, for example, as a way to clean the courthouse of overcrowded records, then later developed into the repository for the permanent records of the county. A few archives have developed into fully integrated offices of county government. These facilities manage all aspects of

government record keeping and serve as both research centers and records repositories. County support tends to be stronger for programs that do both records management and archival work, since the former meets a pressing need of county officials, who then form a powerful interest group on behalf of the archives.

Location and staffing of local government archives vary widely. Successful programs range from one or two rooms in the courthouse to renovated jails, banks, post offices, retail stores, National Guard armories, and schools. Several public libraries have incorporated plans for archives into their newly-built or expanded buildings. In at least three counties, the archives have been combined with an existing

county museum. Staffing runs the gamut from volunteers working four to forty hours per week to one paid part-time employee to two or more full-time staff paid by the county or municipality. In most cases, paid and volunteer labor are intermingled with the latter making up the bulk of the work force. Senior citizens, due to their heavy involvement in historical and genealogical societies, comprise a significant portion of the staffing of local government archives. Some of these seniors do archival work as part of the federal

County support tends to be stronger for programs that do both records management and archival work, since the former meets a pressing need of county officials, who then form a powerful interest group on behalf of the archives.

Green Thumb program. College students are also an important contingent in the archival work force. In one case, the county archive is staffed entirely by university graduate students.

This volunteer spirit, while it has accomplished a great deal, does have limitations. Foremost is an overall need for archival training and education. Most volunteers have no formal training in either archives or records management. Accordingly, the Local Archives Program has made workshops and training seminars for local government record keepers one of its top priorities. While program development remains varied, the goal is to make sure the application of archival principles and techniques are uniform and correct. Budget concerns are a second major issue. It is both unfair and unwise for local governments to depend solely on volunteer efforts to preserve and provide reference to records for which they are legally responsible. Local governments (and local history) are better served by putting in place a practical, self-supporting process with written guidelines and legal standards, rather than relying entirely on the goodwill efforts of unpaid private citizens.

In many visits around the state by Local Archives Program staff, we have seen one consistent element that is necessary for successful local archives and records management programs. It is the presence of a core group of interested local citizens, preferably a combination of researchers, officials, and commissioners. Establishing an archive is a political process and must compete for scarce resources with other pressing concerns. Three things must be present to build a successful archives program: 1) a willingness and commitment locally to do the job, 2) a secure space for the records, and 3) a measure of financial support from local government. Once the program has taken off, it develops its own momentum and quickly attracts enthusiastic supporters, even among former skeptics. The archives' unique ability to involve the community in its own heritage, as well as save government money by more efficient management, invariably makes it a focus of county pride.

Converting Records to Microfilm



Records are processed and arranged for filming.



Camera operator filming records



Inspecting microfilm for quality control